

**EDUCATION**

**Agreement Between the  
UNITED STATES OF AMERICA  
and CANADA Amending the  
Agreement of November 15, 1999, as  
Amended**

Effected by Exchange of Notes at  
Ottawa May 8 and 22, 2009



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

**CANADA**

**Education**

*Agreement amending the agreement of  
November 15, 1999, as amended.  
Effected by exchange of notes at Ottawa  
May 8 and 22, 2009;  
Entered into force October 23, 2009.*



Note No. JLAB-0039

Mr. Terry Breese  
Minister-Counsellor and Chargé d'affaires, a.i.  
Embassy of the United States of America  
490 Sussex Drive  
Ottawa, ON K1P 5T1

Dear Sir:

I have the honour to refer to the *Agreement between the Government of Canada and the Government of the United States of America for the Establishment of a Binational Educational Exchange Foundation*, done at Washington on 15 November 1999, as amended (hereinafter referred to as the "Agreement").

I propose, on behalf of the Government of Canada, that Paragraphs 1 and 3 of Article 9 of the Agreement be amended to read as follows:

Article 9, Paragraph 1

"This Agreement shall enter into force upon signature and shall remain in force until terminated. The Foundation shall exist for as long as the Agreement remains in force."

Article 9, Paragraph 3

"Either Government may terminate the Agreement by written notice to the other, in which case the Agreement shall terminate thirty (30) days after the end of the first calendar year that begins following the date of such notice."

All other terms and conditions of the Agreement shall remain the same.

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gwd  
05/04/09

In the event that the foregoing is acceptable to the Government of the United States of America, I have the honour to propose that this Note, the English and French versions of which are equally authentic, and your Note in reply shall, in accordance with Paragraph 2 of Article 9 of the Agreement, constitute an Agreement to amend the *Agreement between the Government of Canada and the Government of the United States of America for the Establishment of a Binational Educational Exchange Foundation*, done at Washington on 15 November 1999, which shall enter into force on the date of the last note of an exchange of diplomatic notes between our two Governments confirming that all necessary internal procedures for its entry into force have been completed.

Please accept the assurances of my highest consideration.



The Honourable Lawrence Cannon, P.C., M.P.  
Minister of Foreign Affairs

Ottawa, **MAY 08 2009**





Note n° JLAB-0039

Monsieur Terry Breese  
Ministre-Conseiller et Chargé d'affaires, a.i.  
Ambassade des États-Unis d'Amérique  
490 promenade Sussex  
Ottawa, ON K1P 5T1

Monsieur,

J'ai l'honneur de faire référence à l'*Accord entre le gouvernement du Canada et le gouvernement des États-Unis d'Amérique portant création d'une fondation binationale pour les échanges dans le domaine de l'éducation*, fait à Washington le 15 novembre 1999, tel qu'amendé (ci-après désigné « Accord »).

Je propose, au nom du gouvernement du Canada, que les paragraphes 1 et 3 de l'article 9 de l'Accord soient amendés et se lisent dorénavant comme suit :

Article 9, paragraphe 1

« Le présent Accord entre en vigueur à sa signature et reste en vigueur jusqu'à ce qu'il soit dénoncé. La Fondation existe aussi longtemps que celui-ci est en vigueur. »

Article 9, paragraphe 3

« Chaque Gouvernement peut dénoncer par écrit l'Accord, auquel cas celui-ci se termine trente (30) jours après le terme de la première année civile commençant après la date de la note de dénonciation. »

Toutes les autres conditions de l'Accord demeurent les mêmes.

*See 02/10/99*

Dans l'éventualité où ce qui précède agréé au gouvernement des États-Unis d'Amérique, j'ai l'honneur de proposer que la présente Note, dont les versions française et anglaise font également foi, ainsi que votre Note en réponse constituent, conformément au paragraphe 2 de l'article 9 de l'Accord, un accord amendant l'*Accord entre le gouvernement du Canada et le gouvernement des États-Unis d'Amérique portant création d'une fondation binationale pour les échanges dans le domaine de l'éducation*, fait à Washington le 15 novembre 1999, lequel entre en vigueur à la date de la dernière note d'un échange de notes diplomatiques entre nos deux gouvernements confirmant que les mesures internes nécessaires à son entrée en vigueur ont été complétées.

Veillez agréer, Monsieur, l'assurance de ma très haute considération.

Le ministre des Affaires étrangères,



L'honorable Lawrence Cannon, c.p., député

Ottawa, le

08 MAI 2009

SW  
08/05/09



*Embassy of the United States of America*

Ottawa, Canada  
May 22, 2009

Dear Minister Cannon,

I have the honor to refer to your diplomatic note of May 8, 2009 regarding the *Agreement between the Government of the United States of America and the Government of Canada for the Establishment of a Binational Educational Exchange Foundation* done at Washington November 15, 1999, as amended (hereinafter referred to as "Agreement").

I agree, on behalf of the Government of the United States of America, that Paragraphs 1 and 3 of Article 9 of the Agreement be amended to read as follows:

Article 9, Paragraph 1. "This Agreement shall enter into force upon signature and shall remain in force until terminated. The Foundation shall exist for as long as the Agreement remains in force."

Article 9, Paragraph 3. "Either Government may terminate the Agreement by written notice to the other, in which case the Agreement shall terminate thirty (30) days after the end of the first calendar year that begins following the date of such notice."

All other terms and conditions of the Agreement shall remain the same.

As the foregoing is acceptable to the Government of the United States of America, I have the honor to propose that this Note, together with your Note, the English and French versions of which are equally authentic, shall, in accordance with Paragraph 2 of Article 9 of the Agreement, constitute an Agreement to Amend the *Agreement between the Government of the United States of America and the Government of Canada for the Establishment of a Binational Educational Exchange Foundation* done at Washington November 15, 1999, as amended, and shall enter into force on the date of the last note of an exchange of diplomatic notes between our two Governments confirming that all necessary internal procedures for its entry into force have been completed.

Please accept the assurances of my highest considerations.

Regards,

Terry A. Breese  
Chargé d'Affaires, a.i.

Honorable Lawrence Cannon, P.C., M.P.,  
Minister of Foreign Affairs,  
House of Commons,  
Ottawa, Ontario.